

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA**

DARRELL EDEN, on behalf of himself
and all others similarly situated,

Plaintiff,

vs.

BRADLEY COUNTY, TENNESSEE;
SHERIFF ERIC WATSON, in his official
and individual capacities; CAPTAIN
GABRIEL THOMAS, in his official and
individual capacities; JOHN DOE, in his
official and individual capacities; JANE
DOE, in her official and individual
capacities,

Defendants.

Case No.: 1:18-cv-00217-CHS

CLASS ACTION

**COMPLAINT PURSUANT TO 42 U.S.C.
1983**

**SECONDED AMENDED SCHEDULING ORDER FOR PHASE ONE
DISCOVERY PRIOR TO CLASS CERTIFICATION MOTION**

This matter is before the Court on the Plaintiffs' Motion for Avery Laquian Sharp, Jr., and the Estate of Brandon Nash, b/n/k Harry Gash and Sheryl Gash to intervene as class representatives [Doc. 72] and the Defendants' Motion for a Scheduling Order [Doc. 76]. Counsel for all parties were present at a hearing held on these motions on April 26, 2021.

The current First Amended Scheduling Order for Phase One Discovery Prior to Filing a Class Certification Motion [Doc. 57], did not set a deadline for the amendment of pleadings or joinder of parties. Consequently, Plaintiff's motion for leave to allow Avery Laquian Sharp, Jr., and the Estate of Brandon Nash, b/n/k Harry Gash and Sheryl Gash, to intervene as class representative is not untimely. They bring claims alleging Defendants were deliberately indifferent to their serious medical needs in violation of the Eighth Amendment as do the putative class

members. Consequently, the Court finds the motion well-taken. Plaintiff's motion to intervene will be **GRANTED**.

Defendants have subsequently filed a Motion for Scheduling Order [Doc. 76] to modify the First Amended Scheduling Order to include an extension of fact discovery for class certification issues. The motion is well-taken, particularly in light of the Court's granting Plaintiffs' Motion to Intervene.

For the foregoing reasons, it is hereby **ORDERED** that:

1. Plaintiffs' Motion for Avery Laquian Sharp, Jr., and the Estate of Brandon Nash, b/n/k Harry Gash and Sheryl Gash to intervene as class representatives [Doc. 72] is hereby **GRANTED**.
2. All motions for amendments to pleadings and joinder of parties must be filed no later than **May 17, 2021**.
3. The Fact Discovery deadline is **August 27, 2021**.
4. The expert discovery and disclosure deadline will not be altered at this time, but the Court would entertain such a motion in the future upon a showing of good cause.
5. A Case Management Conference is set in Courtroom 1B on Thursday, September 9, 2021, at 2 pm to determine the process and briefing schedule for ruling on a class certification motion.
6. All other deadlines and directives in the First Amended Scheduling Order [57] not expressly amended by this Order remain in full force and effect.

SO ORDERED.

/s/ Christopher H. Steger
UNITED STATES MAGISTRATE JUDGE